

**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

# Department of Labor Overview

**Joint Appropriations Subcommittee on Agriculture,  
Natural, and Economic Resources**

February 28, 2017

Eric Moore

# Today's Agenda

## Department of Labor (DOL) Division Overviews

- Mission/ Programs
- Budget Information
- FY 2015-17 General Assembly Actions





**NCDOL**  
*N.C. Department of Labor*

## **Mission**

To promote the "health, safety and general well-being" of North Carolina's workers.

## **Statutory Reference**

G.S. 95

## **Divisions**

- Administration
- Standards and Inspections
- Occupational Safety and Health

### **FY 2016-17 Budget Highlights**

#### Expenditures:

\$32.8 m

#### Receipts:

\$16.2 m

#### Appropriation:

\$16.6 m

FTE: 381.29

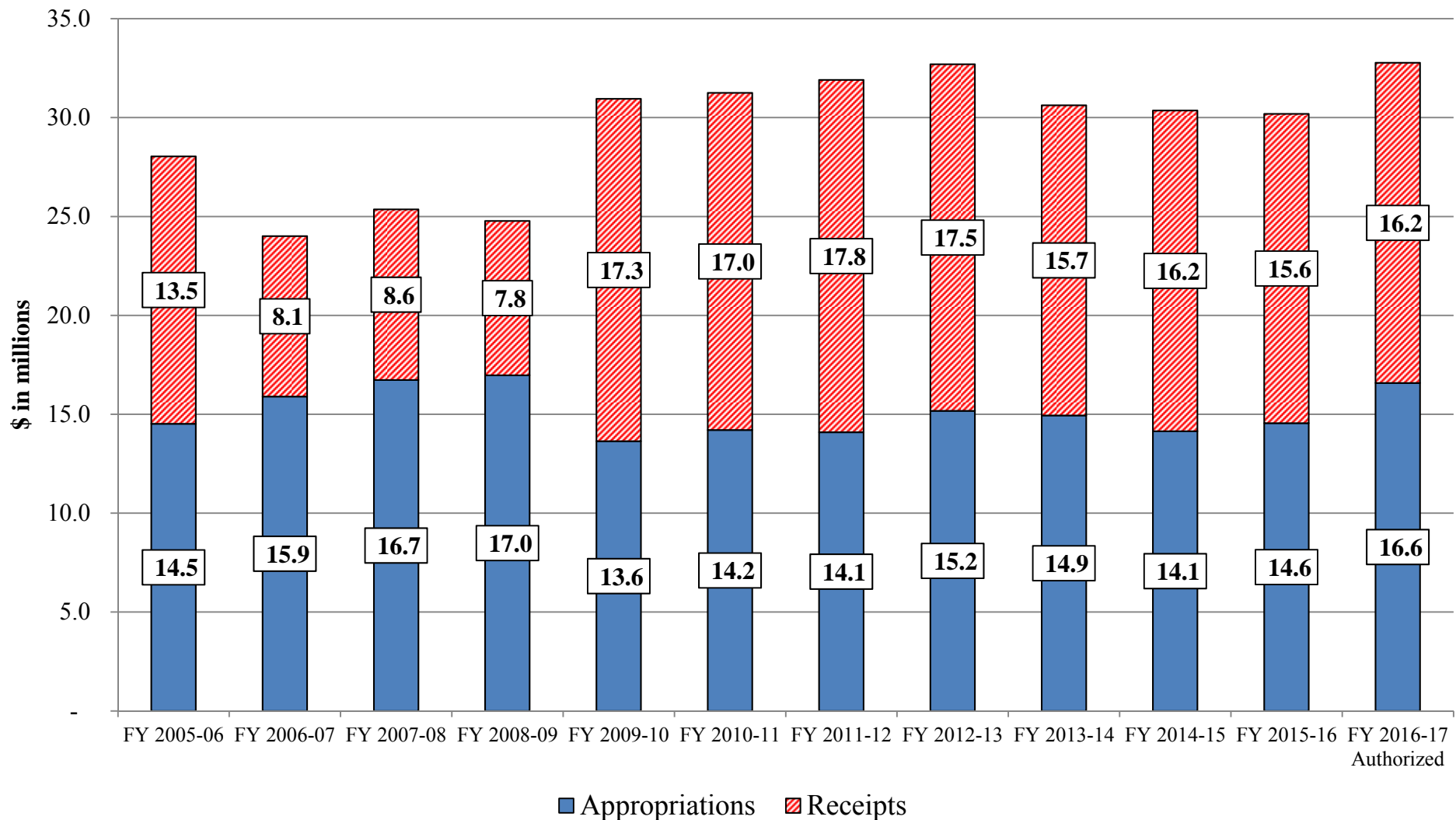


# Labor Divisions & Bureaus

| <b>Administration</b>   | <b>Standards &amp; Inspections</b>   | <b>Occupational Safety and Health</b>  |
|---|--|--|
| <ul style="list-style-type: none"><li>• Administration &amp; Government Affairs</li><li>• Legal</li><li>• Communications</li><li>• Human Resources</li><li>• Information Technology</li><li>• Research and Policy</li></ul> | <ul style="list-style-type: none"><li>• Boiler Safety Bureau</li><li>• Elevator &amp; Amusement Device Bureau</li><li>• Mine &amp; Quarry Bureau</li><li>• Wage &amp; Hour Bureau</li><li>• Employment Discrimination Bureau</li></ul> | <ul style="list-style-type: none"><li>• Agricultural Safety &amp; Health Bureau</li><li>• Compliance Bureau</li><li>• Consultative Services Bureau</li><li>• Education Training &amp; Technical Assistance (ETTA) Bureau</li><li>• Planning, Statistics, and Information Management Bureau</li></ul> |

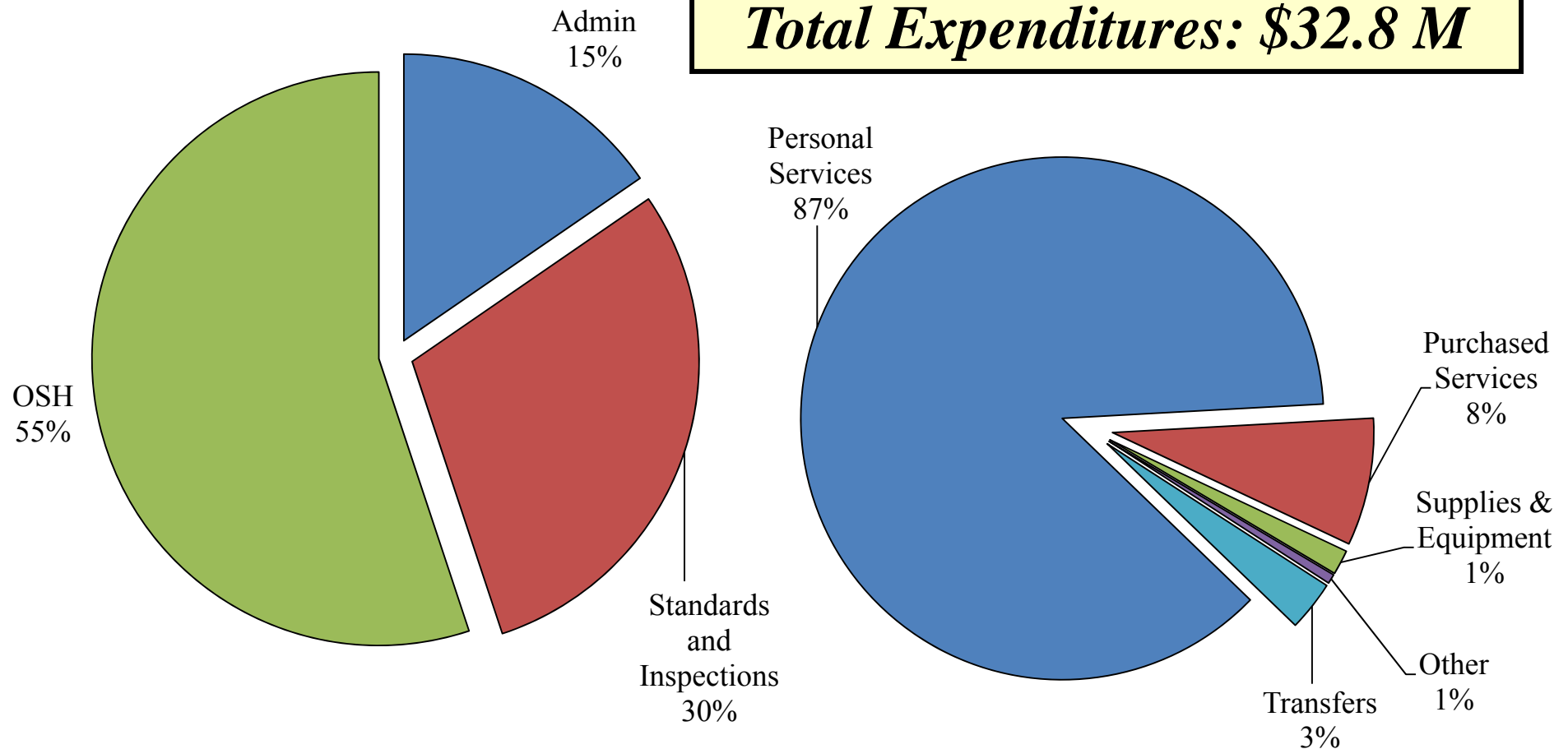


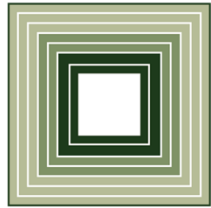
# Labor: 10-Year Funding History



# Labor: FY2016-17 Authorized Budget

***Total Expenditures: \$32.8 M***





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# Administration

# Labor: Administration

- Administration & Government
- Public Affairs
- Budget & Management
- Legal
- Communications
- Human Resources
- Information Technology
- Research & Policy
- Indirect cost reserve

## **FY 2017-18 Base Budget**

### Expenditures:

\$4.9 m

### Receipts:

\$3.3 m

### Appropriation:

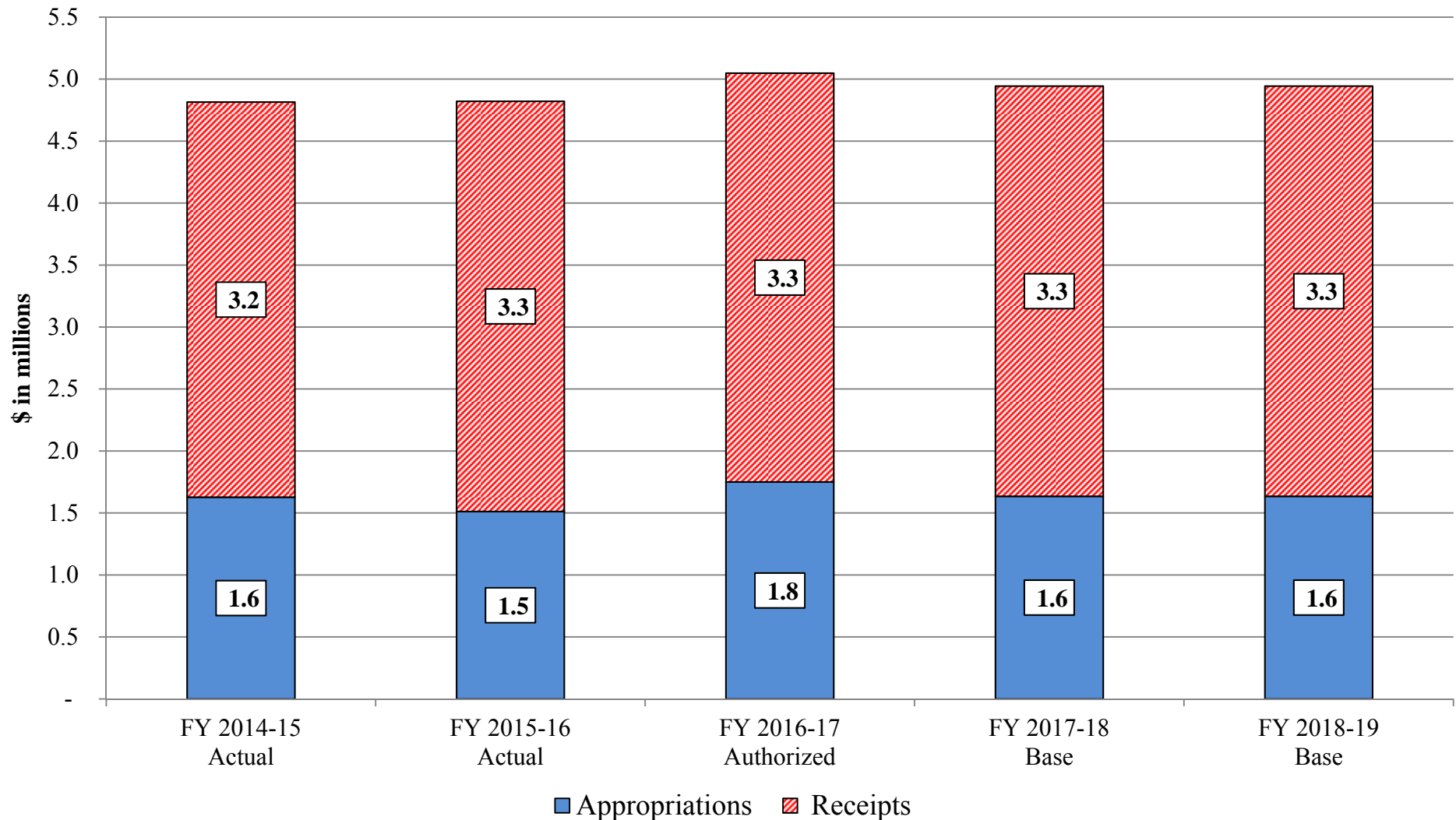
\$1.6 m

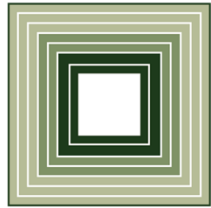
### FTEs:

40.1



# Admin: 5-Year Expenditures





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# Standards & Inspections

# Standards & Inspections Bureaus

- Boilers & Pressure Vessels
- Elevator & Amusement Devices
- Employment Discrimination
- Mine & Quarry
- Wage & Hour

**FY 2017-18**

**Base Budget**

Expenditures:

\$9.7 m

Receipts:

\$6.1 m

Appropriation:

\$3.1 m

FTEs:

117.0



# Standards & Inspections: Boiler Safety Bureau

- Enforces Uniform Boiler & Pressure Vessel Act  
(G.S. 95, Article 7A)
- Inspections include
  - High pressure and low pressure boilers
  - Antique boilers
  - Model/hobby boilers
  - Air storage tanks

## **FY 2017-18 Base Budget**

### Expenditures:

\$2.2 m

### Receipts:

\$2.2 m

### Appropriation:

\$0 m

### FTEs:

23.0



# Standards & Inspections: Elevators & Amusement Device Bureau

- **Enforces the Elevator Safety Act**  
(G.S. Chapter 95, Article 14A)
- **Responsible for proper installation and operation of**
  - Elevators
  - Amusement devices
  - Inflatable amusement devices
  - Portable rock walls
  - Escalators
  - Dumbwaiters
  - Moving walkways

## **FY 2017-18 Base Budget**

### Expenditures:

\$4.3 m

### Receipts:

\$4.3 m

### Appropriation:

\$0 m

### FTEs:

49



# Standards & Inspections: Employment Discrimination Bureau (EDB)

- **Enforces the 1992 Retaliatory Employment Discriminatory Act (REDA) – G.S. 95, Article 21**
- **REDA protects employees involved in:**
  - Worker's compensation
  - Wage and hour
  - Safety and health
  - Genetic testing
  - Sickle Cell/Hemoglobin C
  - National Guard
  - Domestic disputes
  - Juvenile justice system

## **FY 2017-18 Base Budget**

### Expenditures:

\$0.6 m

### Receipts:

\$0 m

### Appropriation:

\$0.6 m

### FTEs:

8



# Standards & Inspections: Mine & Quarry Bureau

- Enforces the 1975 Mine Safety & Health Act (G.S. Chapter 74, Article 2A)
- Provide training and evaluation
- Investigates complaints and serious accidents
- USDOL performs regular compliance inspections

## **FY 2017-18 Base Budget**

### Expenditures:

\$0.5 m

### Receipts:

\$0.2 m

### Appropriation:

\$0.3 m

### FTEs:

6



# Standards & Inspections: Wage & Hour Bureau

- Enforces the Wage & Hour Act (GS 95-25)
  - Minimum wage
  - Overtime
  - Youth employment
  - Record keeping
  - Promised wage provisions
- Enforces the Controlled Substance Examination Regulation Act (GS 95-230 – 235)
- Enforces the Private Personnel & Job Listing Service Act (GS 95-47.1-47.15 and GS 95-47.19-47.32, respectively)
- Can issue citations and penalties

## **FY 2016-17 Budget Highlights**

### Expenditures:

\$2.1 m

### Receipts:

\$0 m

### Appropriation:

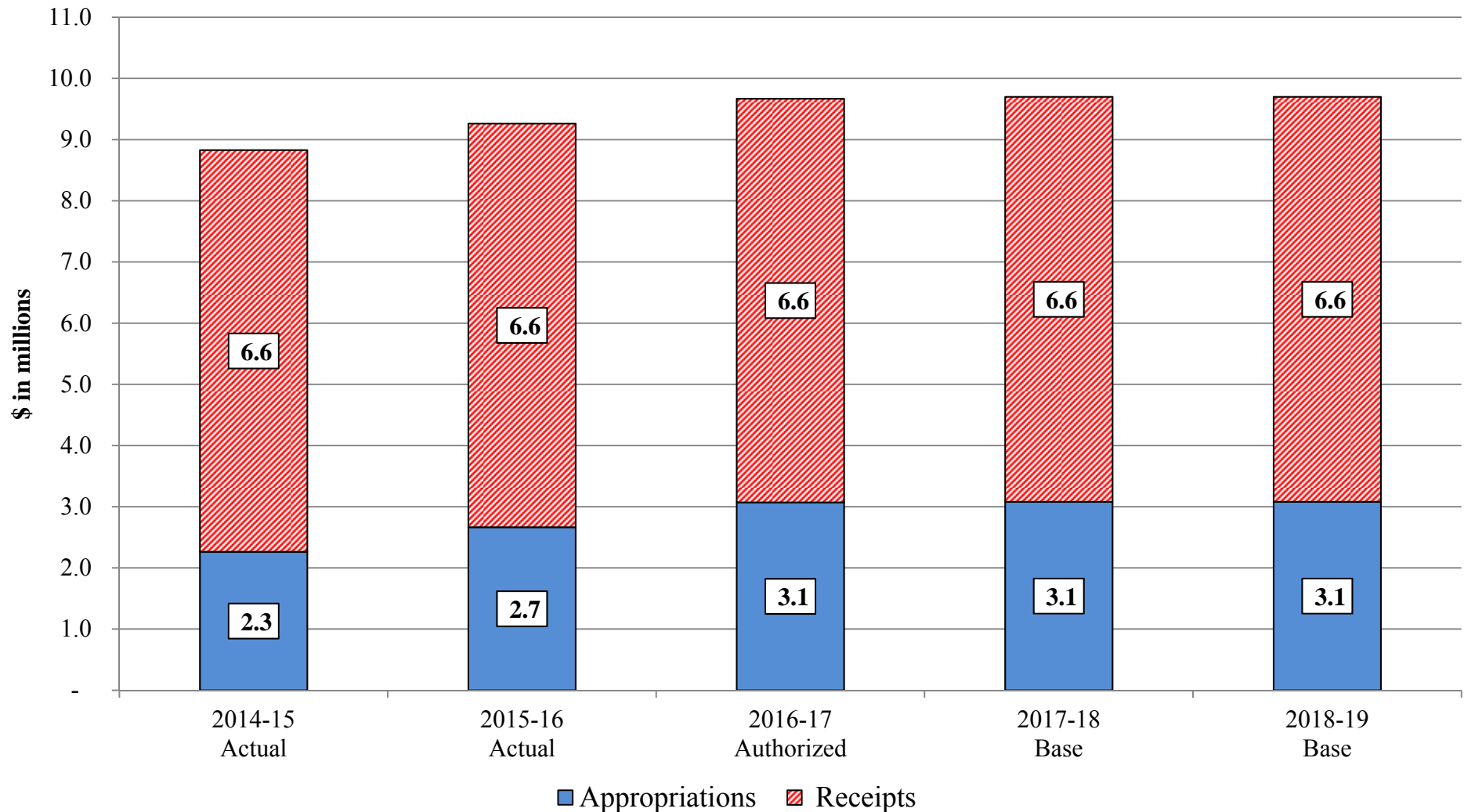
\$2.1 m

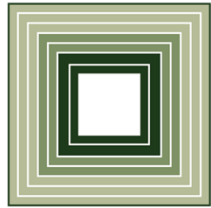
### FTEs:

31



# Standards & Inspections Budget





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# Occupational Safety and Health (OSH)

# NC OSH Program

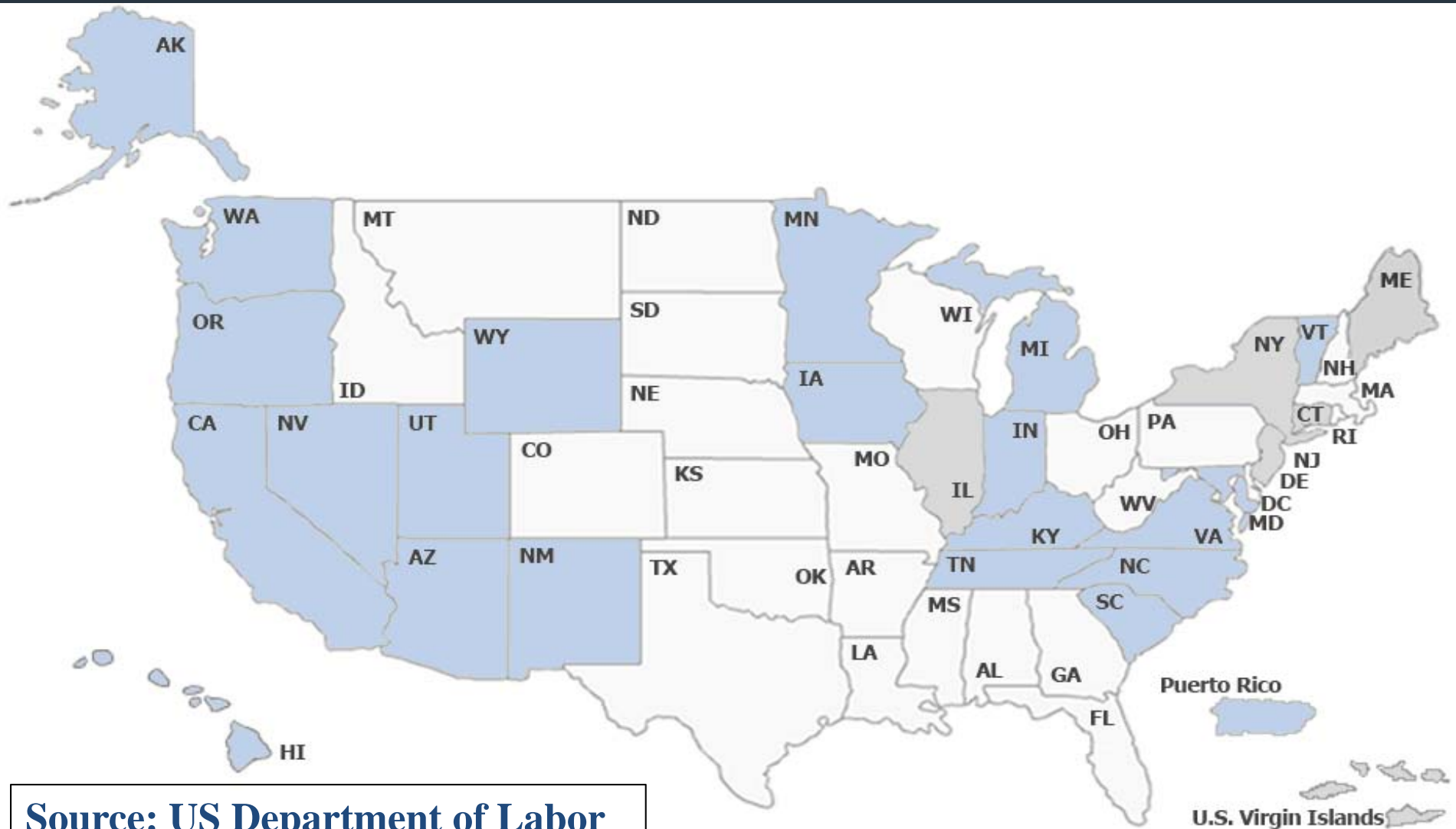
**Established by General Assembly in 1973**

**G.S. 95-126:156**

- **NC is a State Plan State**
  - 1 of 26 states and two territories with own OSH program
  - Receive federal grants
  - Have to be at least as strict as federal requirements
  - Quarterly monitoring meetings with feds
  - “18(e)” status – provides NC with maximum flexibility
- **Covers all employees in NC**
  - **Except:**
    - Federal government employees
    - Maritime employees
    - Railroad employees



# “State Plan” States



Source: US Department of Labor



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# OSH Bureaus

- Agriculture Safety and Health
- Planning Statistics & Information Management
- Compliance (East and West)
- Education Training & Technical Assistance
- Consultative Services
- + Review Commission

## **FY 2017-18 Base Budget**

### Expenditures:

\$18.1 m

### Receipts:

\$6.3 m

### Appropriation:

\$11.8 m

### FTEs:

219.04



# OSH: Agricultural Safety & Health

- Migrant Housing Act of 1989 (G.S. 95: 222-229)
- Annual housing registration, inspection and compliance program
- Inspect all registered migrant housing 45 days prior to occupancy



# OSH: Planning, Statistics & Information Management (PSIM)

- Construct and maintain the OSH Division Inspection Targeting System
- Conduct Public Sector Survey on injury & illness
- Archive investigative results
- Maintain statistics



# OSH: Compliance

- Perform unannounced compliance visits
  - Ability to enter any workplace (G.S. 95-136)
- Respond to complaints of unsafe working conditions
- Perform post-fatality investigation of workplace
- Provide safety standard interpretations and guidance
- Focus more on high-risk occupations
- Five regional offices divided between two bureaus



# OSH: Consultative Services

- Full-service on-site safety and health surveys
- Technical assistance & safety and health program assessment
- Ergonomics, air sampling, noise measurements

## **Free services available to:**

- Public Employers
- Private Employers of < 500 employees nationwide



# OSH: Educational Training & Technical Assistance (ETTA)

- Standards
  - Answer calls and emails
  - Produce publications
  - Evaluate all federal changes to OSH laws - rulemaking
- Education & Training - Internal
  - OSH 100 course
  - Legal Affairs course
- Education & Training – External
  - On-the-Job
  - No charge

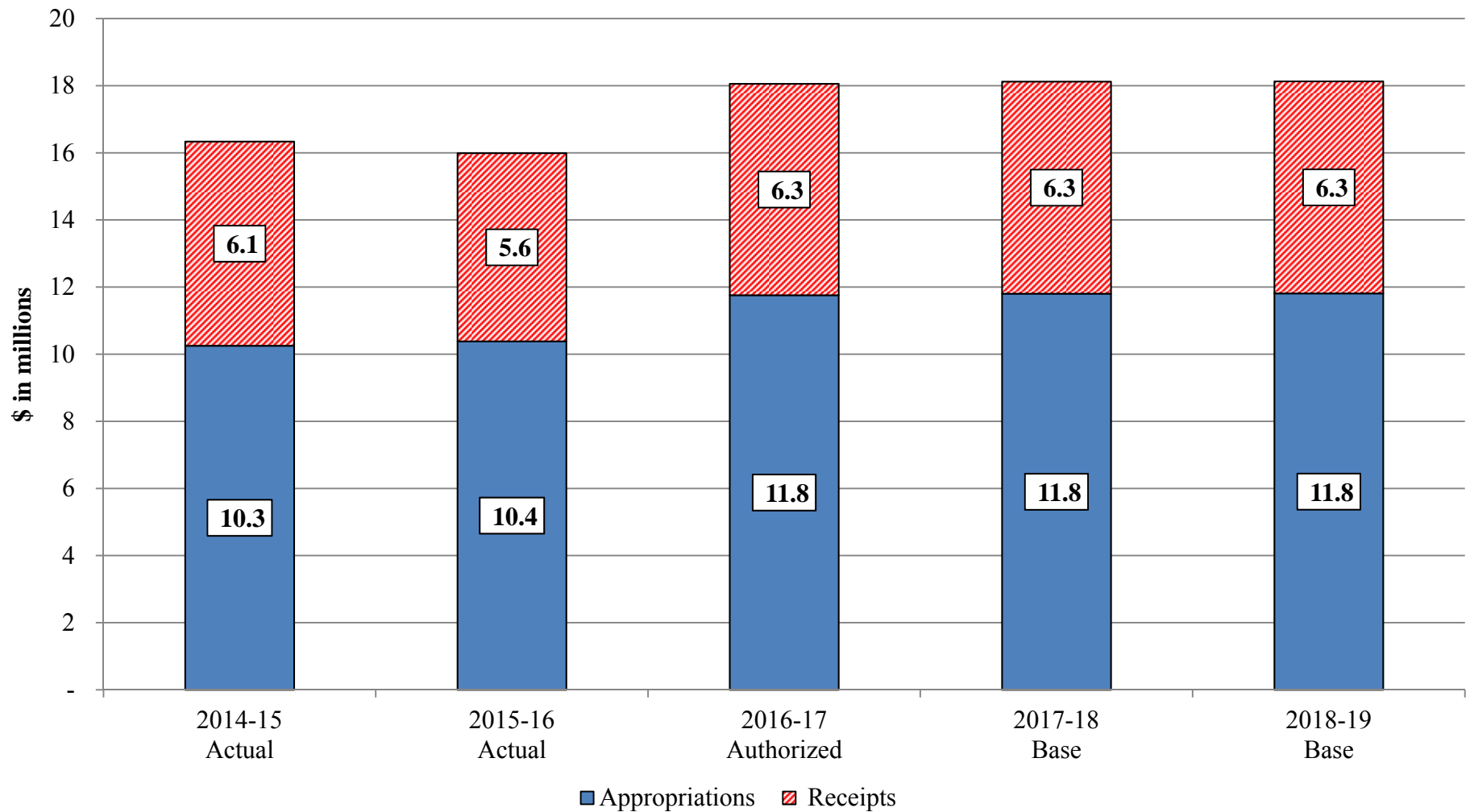


# OSH Review Commission

- Established in GS 95-135
- Review and issue decisions on OSH citation appeals
- Three members appointed by the Governor (6-year terms)
- Subject to open meeting and public records laws



# OSH Budget History



# Labor

## **FY 2015-17 NCGA Actions**

- FY 2015-17:
  - Reduced OSH program by 4.6% (\$25,229) R
  - Shifted funds for two admin positions to receipts (\$130,150) R
- FY 2016-17:
  - Eliminated 2 vacant split-funded safety compliance officer positions (\$60,004) R

# Labor Divisions & Bureaus

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